

ELIZA M. ARCHER.

APRIL 13, 1860.—Ordered to be printed.

Mr. CURRY, from the Committee on Naval Affairs, made the following

REPORT.

The Committee on Naval Affairs, to whom was referred the petition of Eliza M. Archer, widow of Richard C. Archer, a late pursur in the navy, asking an allowance of half the monthly pay to which her husband would have been entitled, report:

That the claimant in this petition is the widow of Richard C. Archer, who was a pursur in the United States navy, and died on the 24th of June, 1824. On the 3d of March, 1837, an act of Congress was passed, by which the widow of any officer who had died, or might thereafter die, was entitled to the half-monthly pay to which the deceased would have been entitled under the acts regulating the pay of the navy, in force on the first day of January, A. D. 1835, to commence from the time of the death of such officer.

The Pension office decided that pursers were included under the designation of "officers" in the act of March 3, 1837, and that pursers' widows were entitled to half pay under that act.

On the 23d of August, 1842, the act of 3d of March, 1837, allowing this half pay was repealed. Petitioner, however, excuses her *laches*, or failure to apply for its benefits, by the allegation that she was entirely ignorant of the existence of the act of 3d of March, 1837, until quite recently, many years after its repeal.

As Purser Archer died in 1824, thirteen years before the enactment of the law granting half pay to widows of officers in the navy, and could not, therefore, have been entitled to any pay on the first of January, 1835, the period fixed in the act of 1837 from which to estimate the pay to which the officer could have been entitled, it would be a construction of the law neither sensible nor just to make it relate back to a period so far antecedent to its passage. Your committee are unanimously of the opinion that the claim of Mrs. Eliza M. Archer should not be allowed.

